

Last Fridays “Lunch and Learn” Webinar: Protecting The Workplace In A World Filled With Violence

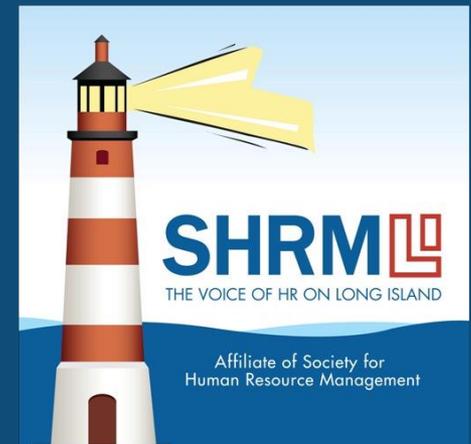
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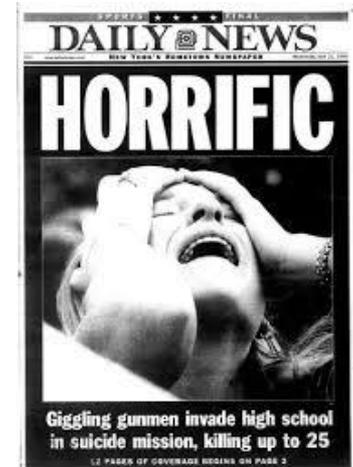
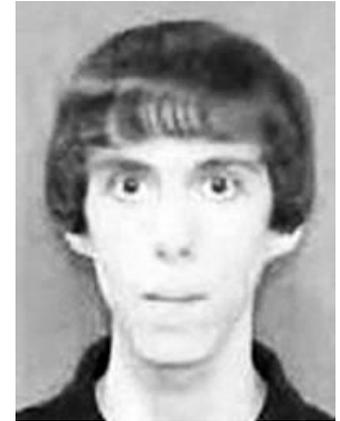
Workplace Violence

- ◆ Every few days, there is another story on the news.
- ◆ Last week, it may have been be a convenience store shooting;
- ◆ Yesterday, a sexual assault in a company parking lot;
- ◆ Today, it's a disgruntled employee holding workers hostage;
- ◆ A few days later, a student shooting up a school.



Workplace Violence

- Violence and the 24-hour news cycle.
- Mass shootings grab the public's attention
 - But are a small part of the overall problem of gun violence (<6%).
 - Commonly (and perhaps most accurately) attributed to “mental health problems.”



Workplace Violence

- ◆ Not surprisingly, the incidents of workplace violence that make the news are only the tip of the iceberg.
- ◆ According to OSHA, this boils down to approximately 2,000,000 workers impacted by incidents of workplace violence per year.
- ◆ What its victims all have in common is that they were at work, going about the business of earning a living, but something about their workplace environment—often something foreseeable and preventable—exposed them to attack by a customer, a co-worker, an acquaintance, or even a complete stranger.

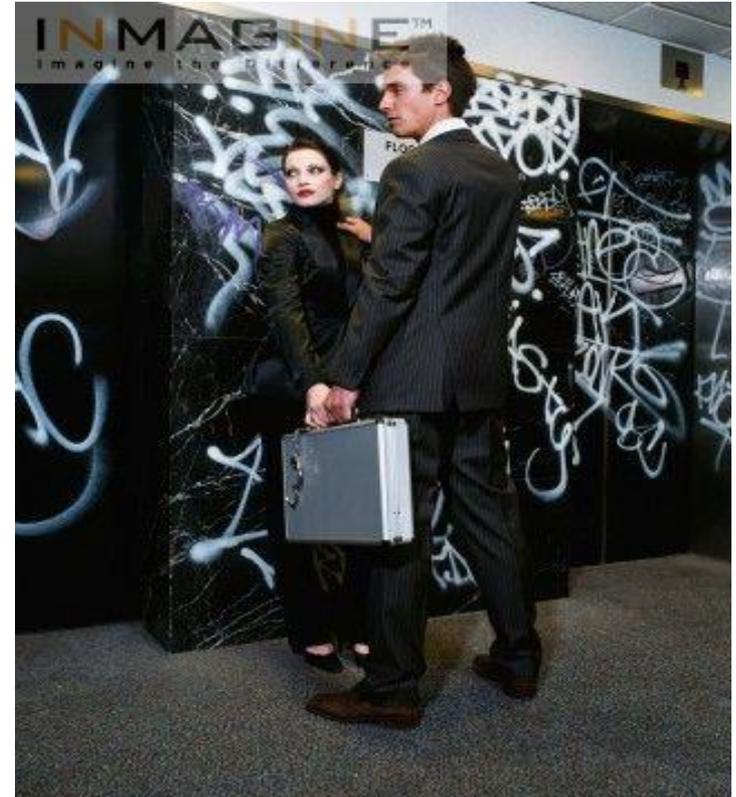
OSHA IMPACT

General Duty Clause -- § 5(a)(1) of the OSH Act -- Employers are required to provide a safe and healthy work environment.

- ◆ OSHA has recognized that workplace violence is an occupational hazard in some industries and environments, which can be avoided or minimized if employers take appropriate precautions.

What Is Workplace Violence?

- ◆ Most people think of violence as a physical assault. However, workplace violence is a much broader problem.
- ◆ It is any act in which a person is abused, threatened, intimidated or assaulted in her or his employment.



Examples of Workplace Violence

- ◆ Threatening behavior - such as shaking fists, destroying property or throwing objects.
- ◆ Verbal or written threats - any expression of an intent to inflict harm. Facebook, Twitter, etc.
- ◆ Harassment - any behavior that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.
- ◆ Verbal abuse - swearing, insults or condescending language.
- ◆ Physical attacks - hitting, shoving, pushing or kicking.

Active Shooter Definition

- DHS defines an “active shooter” as an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm(s) and there is no pattern or method to their selection of victims.
 - Typical incident lasts no more than 10 to 15 minutes. 60% of incidents ended before police arrived.
 - No federal laws require an employer to establish an active shooter policy.
 - But you must do something!!



Types of Workplace Violence

- ◆ The offender does not have a legitimate relationship with the business or its employees.
 - Robbery.
 - Convenience and liquor store employees.
 - Restaurant and grocery store employees.
 - Hotel and motel clerks.

- ◆ Victim is a service provider and the offender is a person receiving services.
 - Medical professionals.
 - Social workers.

- ◆ Offender has relationship with business.
 - Current or former employees.
 - Current or former customers.

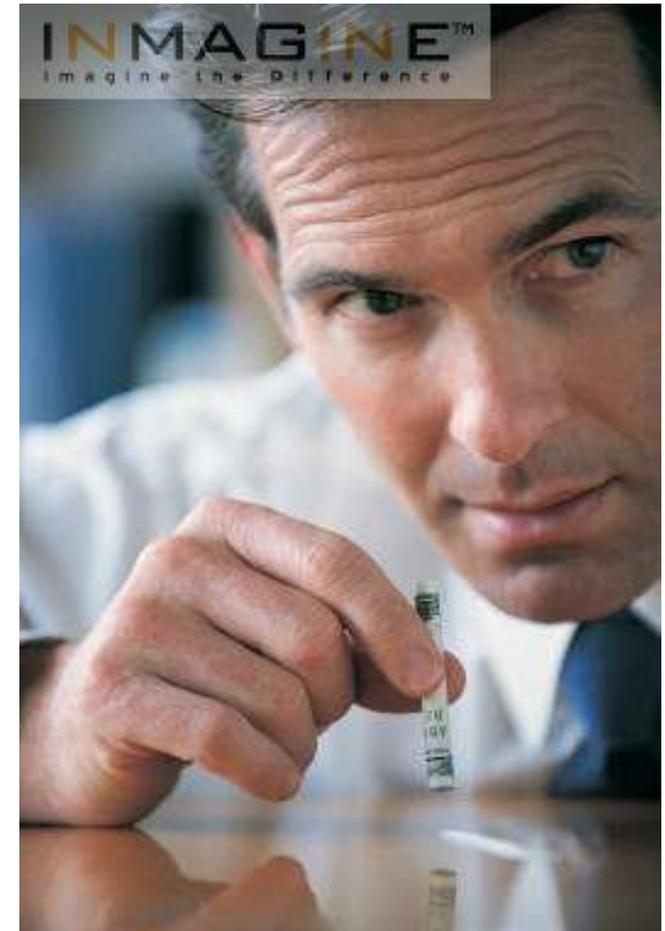
- ◆ Personal Relationships.
 - Victim of domestic violence – perpetrator does not have a direct relationship to the business, only an indirect relationship.

Warning Signs to Look for in Employees

- ◆ Violent incidents in the workplace ordinarily follow some sort of “trigger” that pushes an already vulnerable person to take drastic action. Be wary of employees who start to behave in the ways listed below:
 - They say they've been treated unfairly.
 - They have chronic unresolved problems among employees.
 - They say they're being forced to wait for something (a promotion, raise, etc.).
 - They show signs of mental instability, changes in behavior, subtle or overt expressions of suicidal or homicidal thoughts.
 - They have high levels of stress, especially created by family or financial problems.
 - They begin to isolate themselves, are thought of as a “loner.”
 - They have recently been disciplined for something.
 - Most employees with grievances don't become violent. It's also important to be aware of the [traits most often found in violent employees](#).
 - They have a preoccupation with violence and accessibility of guns.

Common Causes / Traits of Violent Workers

- ◆ History of violent behavior. This includes any involvement with the criminal justice system.
- ◆ Middle-aged white male.
- ◆ Bitter and unhappy.
- ◆ No job security.
- ◆ Upset with only having low-level tasks to do.
- ◆ Problems growing up, including bad grades in school, abusive parents, etc.
- ◆ Substance abuse, including taking heavy medication.



Business Impact

- ◆ Negligence lawsuits average \$500,000 for out of court settlements and \$3 million for trial.
- ◆ Lower employee morale, increased absenteeism, stress, retention and recruiting issues and negative publicity.
- ◆ Profound impact on the operations from decreased productivity, lost sales, management distraction, worker compensation and medical claims, etc.
- ◆ Impact and cost to the business after an incident can be staggering vs. the cost of preventing an incident from occurring in the first place.

Homework

CREATE A WRITTEN ANTI-VIOLENCE PROGRAM

- ◆ An anti-violence statement that covers all workers, patients, clients, visitors, contractors, and anyone else who may come in contact with company personnel and provides specific information regarding the consequences of non-compliance.
- ◆ Identifies potential outcomes taken if the policy is violated, including discipline of employees or removal of visitors.
- ◆ Encourages prompt reporting of all violent incidents and recordkeeping of incidents to assess risk and to measure progress.

Homework

CREATE A FACILITY SECURITY PLAN

- ◆ Require all visitors to sign-in and provide identification.
- ◆ Require employees and staff to display an authorized identification badge when on company premises.
- ◆ Change codes on doors with keypad access at regular intervals and controlling dissemination of codes.
- ◆ Empower employees who come in contact with individuals who seem lost or are not familiar with their surroundings to offer assistance and request identification.
- ◆ Coordinate with local police and emergency response personnel (provide copy of emergency response plan, site assessments, maps and building schematics).

Homework

UPDATE COMPLAINT PROCEDURES TO INCLUDE:

- ◆ Requiring employees to report all acts or threats of violence to a supervisor or manager promptly.
- ◆ Define the ways in which an employee can raise a complaint, including who they can complain to and what responsibilities that person will have when a complaint is received.
- ◆ Include an anti-retaliation provision and make sure that employees know that they will not be retaliated against for bringing a complaint of violence or bullying to management's attention or for participating in an investigation.



Homework

REVIEW INVESTIGATION PROCEDURES

- ◆ Investigate all complaints of violence in the workplace and develop a plan of action once findings are issued.
- ◆ Define the investigation procedures:
 - Who will be responsible for investigating a complaint?
 - When will claims be investigated?
 - How will the results of the investigation be communicated?

Homework

DEVELOP AND CONDUCT WORKPLACE SAFETY TRAINING

- ◆ Develop and conduct mandatory and annual training for employees to learn:
 - How to recognize the earliest stages of a possible assault.
 - How to avoid or mitigate potential violent encounters, including how to protect oneself (RHF).
 - How to seek refuge and/or assistance if violence appears imminent.
 - How to report and document incidents of violence or aggressive behavior.
 - How to locate and operate safety devices.



Homework

CONDUCT TABLETOP ACTIVE SHOOTER PROGRAM FOR SENIOR MANAGEMENT, HR AND SECURITY PERSONNEL.

- ◆ **Such a program tests your company's policies and procedures in a shooter scenario to determine what works and what needs improvement.**

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